



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Robert G. Burnley  
Director

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W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

September 20, 2005

Ms. Lisa Johnson, President  
Mirant Potomac River, LLC  
8711 Westphalia Road  
Upper Marlboro, Maryland 20774

Dear Ms. Johnson:

At 12:49 p.m. this afternoon the Department of Environmental Quality (DEQ) received your letter informing DEQ of Mirant's intention to restart Unit 1 of the Potomac River Generating Station tomorrow, September 21, 2005. Your letter stated that it was Mirant's intention to commence operation of Unit 1 in accordance with certain restrictions designed to ostensibly ensure that emissions from Unit 1 do not result in exceedances of the National Ambient Air Quality Standards (NAAQS) promulgated by EPA under the Clean Air Act.

DEQ has not had the opportunity to fully review Mirant's plan due to the complexity of the plan's underlying modeling. DEQ, however, has serious reservations about several of the assumptions used in Mirant's modeling, including, but not limited to the use of revised SO<sub>2</sub> background monitoring data and assumptions made with respect to stack velocity and temperatures used in the model.

DEQ, therefore, is unable at this time to conclude that restart of Unit 1 under the conditions set forth in the plan will ensure the protection of human health and the environment.

DEQ is in active consultation with EPA Region III and Headquarters officials on this matter.

DEQ is disappointed that Mirant chose to issue a press release announcing its decision to restart Unit 1 prior to affording DEQ the opportunity to undertake any meaningful review of the sufficiency of the plan. If DEQ determines that the environment and human health are not protected we will use all of the tools available to us to protect the health of the citizens of Alexandria.

Very truly yours,

A handwritten signature in black ink, reading "Robert G. Burnley".

Robert G. Burnley